

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33235 of 2016

Arising Out of PS.Case No. -32 Year- 2014 Thana -SIWAN MUFFASIL District- SIWAN

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Kumar Chitransh, son of Bidya Bhushan Srivastava @ Bidya Bhushan
Sinha, resident of Mohalla Jaiprakash Nagar, P.S. Siwan Town, district
Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Kumar, Adv.

For the Opposite Party : Mr. Ramesh Chandra, APP54

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 19-12-2016

Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of anticipatory bail for
offence under Sections 409, 506, 380 and 34 of the Indian Penal
Code.

Informant was District Manager of the Food
Corporation of India, Siwan. He was deputed somewhere else.
He made over charge of the key etcetera to this petitioner of the
said godown in between 15th October, 2012, to 26th October, 2012.
When the informant returned back, he found that huge quantity of
paddy was missing thereafter he informed to the superior officers
that there is likelihood that informant would be implicated on the
charge of defalcation which was done by the petitioner.

Submission of the petitioner is that the first
information report was lodged after one year of the joining of the
informant and there is no material in the case diary specially any
document to support that how much paddy was there in the
godown when the petitioner took over the charge and how much
paddy was there on the date the petitioner made over the charge.

More over, there is no inventory prepared by the



informant at the time of taking over of the charge nor there is explanation of delay in lodging of the case.

Learned Additional Public Prosecutor submits that besides oral evidence of some witnesses, no document has been collected during the investigation.

Considering the aforesaid fact, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Siwan (Muffasil) P.S. Case No. 32 of 2014** to the satisfaction of the **Chief Judicial Magistrate, Siwan**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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